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any cause, or under any pretence whatsoever; as likewise to cause our letters ratifying the same to be dispatched, in good form, and to cause them to be delivered, in order to be exchanged, within the time which shall be agreed on by the treaties to be made. For this is our pleasure. In witness whereof we have caused our seal to be affixed to these presents. Given at Versailles, the fourth day of March, in the year of our Lord 1713, and of our reign the seventieth. Signed LEWIS; and on the fold, By the King, *Calvert*.

[The following is printed from the copy, which was published by authority in 1713.

The Treaty of Navigation and Commerce between the most Serene and most Potent Princess Anne, by the Grace of God, Queen of Great Britain, France, and Ireland, and the most Serene and most Potent Prince Lewis the XIVth, the most Christian King, concluded at Utrecht the 11th Day of ^{March}_{April} 1713.

WHEREAS the most Serene and most Potent Princess and Lady Anne, by the grace of God, Queen of Great Britain, France, and Ireland, and the most Serene and most Potent Prince and Lord Lewis the Fourteenth, by the grace of God, the most Christian King, since they applied their minds, by the disposal of the Almighty, to the study of peace, have both been moved with an earnest desire to increase the advantages of their subjects, which are to arise therefrom, by a reciprocal liberty of navigation and commerce, which ought to be as well the principal fruit as establishment of peace: and to that end they have most graciously given instructions to their Ambassadors Extraordinary and Plenipotentiaries, going to the congress at Utrecht, that they should employ their utmost diligence and care both to re-establish peace, and to renew the former treaties of commerce between the two nations, and to adapt them to the present
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state of affairs; that is to say, her Sacred Royal Majesty of Great Britain, to the Right Reverend John, by Divine permission, Bishop of Bristol, Keeper of the Privy Seal of England, one of her Majesty's Privy Council, Dean of Windsor, and Register of the most Noble Order of the Garter: as also to the most Noble, Illustrious, and Excellent Lord Thomas Earl of Strafford, Viscount Wentworth of Wentworth-Woodhouse, and Stainborough, Baron of Raby, one of her Majesty's Privy Council, her Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, Colonel of her Majesty's regiment of dragoons, Lieutenant General of her Majesty's forces, First Lord Commissioner of the Admiralty of Great Britain and Ireland, and Knight of the most Noble Order of the Garter: and his Sacred Royal most Christian Majesty, to the most Noble, Illustrious, and Excellent Lords Nicolas Marquis of Huxelles, Marshal of France, Knight of the King's Orders, and Lieutenant General of the dukedom of Burgundy; and Nicolas Mefnager, Knight of the King's Order of St. Michael. Whereupon the said Ambassadors, to the end that the design of their Royal Majesties, which is so pious and wholesome, might attain the desired effect, having had several conferences upon that affair, and having adjusted the principal matters on both sides, as far as they could in so short a time, after having communicated to each other, and duly exchanged, the full powers wherewith they were provided for this purpose, copies whereof are inserted word for word at the end of this instrument, have agreed upon articles of navigation and commerce, in manner and form as follows.

I. IT is agreed and concluded between the most Serene and most Potent Queen of Great Britain, and the most Serene and most Potent the most Christian King, that there shall be a reciprocal and entirely perfect liberty of navigation and commerce, between the

subjects on each part, through all and every the kingdoms, states, dominions, and provinces of their Royal Majesties in Europe, concerning all and singular kinds of goods, in those places, and on those conditions, and in such manner and form, as is settled and adjusted in the following articles.

II. But that the commerce and friendship between the subjects of the abovesaid parties may be hereafter secure, and free from all trouble and molestation, it is agreed and concluded, that if at any time any ill understanding and breach of friendship, or rupture, should happen between the crowns of their Royal Majesties (which God forbid) in such case the term of six months shall be allowed, after the said rupture, to the subjects and inhabitants on each part, residing in the dominions of the other, in which they themselves may retire, together with their families, goods, merchandizes, and effects, and carry them whithersoever they shall please; as likewise at the same time the selling and disposing of their goods, both moveable and immoveable, shall be allowed them freely, and without any disturbance; and in the mean time their goods, effects, wares, and merchandizes, and particularly their persons, shall not be detained or troubled by arrest or seizure: but rather, in the mean while, the subjects on each side shall have and enjoy good and speedy justice, so that, during the said space of six months, they may be able to recover their goods and effects, entrusted as well to the public as to private persons.

III. It is likewise agreed and concluded, that the subjects and inhabitants of the kingdoms, provinces, and dominions of each of their Royal Majesties, shall exercise no acts of hostility and violence against each other, neither by sea nor by land, nor in rivers, streams, ports, or havens, under any colour or pretence whatsoever; so that the subjects of either party shall receive no patent, commission, or instruction, for arming and acting at sea as privateers, nor letters of reprisal, as
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they are called, from any princes or states, which are enemies to one side or the other; nor, by virtue or under colour of such patents, commissions, or reprisals, shall they disturb, or infect, or any way prejudice or damage the aforesaid subjects and inhabitants of the Queen of Great Britain, or of the most Christian King; neither shall they arm ships in such manner as is aforesaid, or go out to sea therewith. To which end, as often as it is required by either side, strict and express prohibitions shall be renewed and published in all the regions, dominions, and territories of each party wherefoever, that no one shall in any wise use such commissions or letters of reprisal, under the severest punishment that can be inflicted on the transgressors, besides restitution and full satisfaction to be given to those to whom they have done any damage; neither shall any letters of reprisal be hereafter granted on either side, by the said confederates, to the detriment or disadvantage of the subjects of the other, except in such case only as justice is denied or delayed; to which denial or delay credit shall not be given, unless the petition of the person who desires the said letters of reprisal be communicated to the Minister residing there on the part of the Prince against whose subjects they are to be granted, that within the space of four months, or sooner, if it be possible, he may evince the contrary, or procure the performance of what is due to justice.

IV. The subjects and inhabitants of each of the aforesaid confederates shall have liberty, freely and securely, without licence or passport, general or special, by land or by sea, or any other way, to go into the kingdoms, countries, provinces, lands, islands, cities, villages, towns, walled or unwalled, fortified or unfortified, ports, dominions, or territories whatsoever, of the other confederate, in Europe, there to enter, and to return from thence, to abide there, or to pass through the same, and in the mean time to buy and purchase, as they please, all things necessary for their subsistence and use; and they shall be treated with all
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mutual kindness and favour. Provided, however, that in all these matters they behave and comport themselves conformably to the laws and statutes, and live and converse with each other friendly and peaceably, and keep up reciprocal concord by all manner of good understanding.

V. The subjects of each of their Royal Majesties may have leave and licence to come with their ships, as also with the merchandizes and goods on board the same (the trade and importation whereof are not prohibited by the laws of either kingdom) to the lands, countries, cities, ports, places, and rivers of either side, in Europe, to enter into the same, to resort thereto, to remain and reside there, without any limitation of time; also to hire houses, or to lodge with other people, and to buy all lawful kinds of merchandizes, where they think fit, from the first workman or seller, or in any other manner, whether in the public market for the sale of things, in mart towns, fairs, or wheresoever those goods are manufactured or sold; they may likewise lay up and keep in their magazines and warehouses, and from thence expose to sale, merchandizes brought from other parts; neither shall they be in any wise obliged, unless willingly and of their own accord, to bring their said merchandizes to the marts and fairs, on this condition, however, that they shall not sell the same by retail in shops, or any where else. But they are not to be loaded with any impositions or taxes on account of the said freedom of trade, or for any other cause whatsoever, except what are to be paid for their ships and goods according to the laws and customs received in each kingdom. And moreover they shall have free leave, without any molestation, to remove themselves, also, if they shall happen to be married, their wives, children, and servants, together with their merchandizes, wares, goods, and effects, either bought or imported, whensoever and whithersoever they shall think fit, out of the bounds of each kingdom, by land and by sea, on the rivers and fresh waters, discharging
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the usual duties, notwithstanding any law, privilege, grant, immunity, or custom, in any wise importing the contrary. But in the business of religion, there shall be an entire liberty allowed to the subjects of each of the confederates, as also, if they are married, to their wives and children; neither shall they be compelled to go to the churches, or to be present at the religious worship in any other place. On the contrary, they may, without any kind of molestation, perform their religious exercises after their own way, although it be forbid by the laws of the kingdom, privately and within their own walls, and without the admittance of any other persons whatsoever. Moreover, liberty shall not be refused to bury the subjects of either party, who die in the territories of the other, in convenient and decent places, to be appointed for that purpose, as occasion shall require; neither shall the dead-bodies of those that are buried be any ways molested. The laws and statutes of each kingdom shall remain in full force, and shall be duly put in execution, whether they relate to commerce and navigation, or to any other right, those cases only being excepted, concerning which it is otherwise determined in the articles of this present treaty.

VI. The subjects of each party shall pay the tolls, customs, and duties of import and export through all the dominions and provinces of either party, as are due and accustomed. And, that it may be certainly known to every one what are all the said tolls, customs, and duties of import and export, it is likewise agreed, that tables shewing the customs, port-duties, and imposts, shall be kept in public places, both at London, and in other towns within the dominions of the Queen of Great Britain, and at Roan, and other towns of France, where trading is used; whereunto recourse may be had, as often as any question or dispute arises concerning such port-duties, customs, and imposts; which are to be demanded in such manner, and no otherwise, as shall be agreeable

agreeable to the plain words and genuine sense of the above-said tables. And if any officer, or other person in his name, shall, under any pretence, publicly or privately, directly or indirectly, ask or take of a merchant, or of any other person, any sum of money, or any thing else, on account of right, dues, stipend, exhibition, or compensation, although it be under the name of a free gift, or in any other manner, or under any other pretence, more, or otherwise, than what is prescribed above, in such case the said officer, or his deputy, if he be found guilty, and convicted of the same before a competent judge, in the country where the crime was committed, shall give full satisfaction to the party that is wronged, and shall likewise be punished according to the direction of the laws.

VII. Merchants, masters of ships, owners, mariners, men of all kinds, ships, and all merchandizes in general, and effects of one of the confederates, and of his subjects and inhabitants, shall on no public or private account, by virtue of any general or special edict, be seized in any the lands, ports, havens, shores, or dominions whatsoever of the other confederate, for the public use, for warlike expeditions, or for any other cause; much less, for the private use of any one, shall they be detained by arrests, compelled by violence, or under any colour thereof, or in any wise molested or injured. Moreover, it shall be unlawful for the subjects of both parties to take any thing, or to extort it by force, except the person to whom it belongs consent, and it be paid for with ready money. Which, however, is not to be understood of that detention and seizure which shall be made by the command and authority of justice, and by the ordinary methods, on account of debt, or crimes; in respect whereof the proceeding must be by way of law, according to the form of justice.

VIII. Furthermore, it is agreed and concluded, as a general rule, that all and singular the subjects of the most
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Serene Queen of Great Britain, and of the most Serene the most Christian King, in all countries and places subject to their power on each side, as to all duties, impositions, or customs whatsoever, concerning persons, goods, and merchandizes, ships, freights, seamen, navigation, and commerce, shall use and enjoy the same privileges, liberties, and immunities at least, and have the like favour in all things, as well in the courts of justice, as in all such things as relate either to commerce, or to any other rights whatever, which any foreign nation, the most favoured, has, uses, and enjoys, or may hereafter have, use, and enjoy.

IX. It is further agreed, that within the space of two months after a law shall be made in Great Britain, whereby it shall be sufficiently provided, that no more customs or duties be paid for goods and merchandizes brought from France to Great Britain, than what are payable for goods and merchandizes of the like nature imported into Great Britain from any other country in Europe; and that all laws made in Great Britain since the year 1664, for prohibiting the importation of any goods and merchandizes coming from France, which were not prohibited before that time, be repealed; the general tariff made in France the 18th day of September in the year 1664, shall take place there again, and the duties payable in France by the subjects of Great Britain, for goods imported and exported, shall be paid according to the tenor of the tariff above-mentioned, and shall not exceed the rule therein settled, in the provinces whereof mention is there made, and in the other provinces the duty shall not be payable otherwise than according to the rule at that time prescribed: and all prohibitions, tariffs, edicts, declarations, or decrees, made in France since the said tariff of the year 1664, and contrary thereunto, in respect to the goods and merchandizes of Great Britain, shall be repealed. But whereas it is urged on the part of France, that certain merchandizes, that is to say, manufactures of wool, sugary salted fish, and the product of whales, be

excepted out of the rule of the above-mentioned tariff, and likewise other heads of matters belonging to this treaty remain, which having been proposed on the part of Great Britain, have not yet been mutually adjusted, a specification of all which is contained in a separate instrument subscribed by the Ambassadors Extraordinary and Plenipotentiaries on both sides; it is hereby provided and agreed, that within two months from the exchange of the ratifications of this treaty, commissaries on both sides shall meet at London, to consider of and remove the difficulties concerning the merchandizes to be excepted out of the tariff of the year 1664, and concerning the other heads, which, as is above said, are not yet wholly adjusted. And at the same time the said commissaries shall likewise endeavour (which seems to be very much for the interest of both nations) to have the methods of commerce on one part, and of the other, more thoroughly examined, and to find out and establish just and beneficial means on both sides for removing the difficulties in this matter, and for regulating the duties mutually. But it is always understood and provided, that all and singular the articles of this treaty do in the mean while remain in their full force, and especially that nothing be deemed, under any pretence whatsoever, to hinder the benefit of the general tariff of the year 1664 from being granted to the subjects of her Royal Majesty of Great Britain, and the said British subjects from having and enjoying the same, without any delay or tergiversation, within the space of two months after a law is made in Great Britain as above said, in as ample manner and form as the subjects of any nation, the most favoured, might have and enjoy the benefit of the aforesaid tariff, any thing to be done or discussed by the said commissaries to the contrary in any wise notwithstanding.

X. The duties on tobacco imported into France; either in the leaf, or prepared, shall be reduced hereafter to the same moderate rate as the said tobacco
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of the growth of any country in Europe or America, being brought into France, does or shall pay. The subjects on both sides shall also pay the same duties in France for the said tobacco; there shall be likewise an equal liberty of selling it; and the British subjects shall have the same laws as the merchants of France themselves have and enjoy.

XI. It is likewise concluded, that the imposition or tax of 50 *sols Tournois*, laid on British ships in France for every ton, shall wholly cease, and be from henceforward annulled. In like manner the tax of five shillings sterling laid on French ships in Great Britain for every ton, shall cease; neither shall the same, or any the like impositions, be laid hereafter on the ships of the subjects on either side.

XII. It is further agreed and concluded, that it shall be wholly free for all merchants, commanders of ships, and other the subjects of the Queen of Great Britain, in all places of France, to manage their own business themselves, or to commit them to the management of whomsoever they please, nor shall they be obliged to make use of any interpreter, or broker, nor to pay them any salary, unless they chuse to make use of them. Moreover, masters of ships shall not be obliged, in loading or unloading their ships, to make use of those workmen, either at Bourdeaux, or in any other places, as may be appointed by public authority for that purpose; but it shall be entirely free for them to load or unload their ships by themselves, or to make use of such persons in loading or unloading the same as they shall think fit, without the payment of any salary to any other whomsoever; neither shall they be forced to unload any sort of merchandizes, either into other ships, or to receive them into their own, or to wait for their being loaded longer than they please. And all and every the subjects of the most Christian King shall reciprocally have and enjoy the same privileges

privileges and liberty, in all places in Europe subject to the dominion of Great Britain.

XIII. It shall be wholly lawful and free for merchants and others, being subjects either to the Queen of Great Britain or to the most Christian King, by will, and any other disposition made, either during the time of sickness, or at any other time before, or at the point of death, to devise or give away their merchandizes, effects, money, debts belonging to them, and all moveable goods which they have or ought to have at the time of their death, within the dominions and any other places belonging to the Queen of Great Britain, and to the most Christian King. - Moreover, whether they die, having made their will, or intestate, their lawful heirs and executors, or administrators, residing in either of the kingdoms, or coming from any other part, although they be not naturalized, shall freely and quietly receive and take possession of all the said goods and effects whatsoever, according to the laws of Great Britain and France respectively; in such manner, however, that the wills, and right of entering upon the inheritances of persons intestate, must be proved according to law, as well by the subjects of the Queen of Great Britain, as by the subjects of the most Christian King, in those places where each person died, whether that may happen in Great Britain or in France, any law, statute, edict, custom, or *droit d'aubaine* whatsoever to the contrary notwithstanding.

* XIV. A dispute arising between any commander of the ships on both sides and his seamen, in any port of the other party, concerning wages due to the said seamen, or other civil causes, the magistrate of the place shall require no more from the person accused, than that he give to the accuser a declaration in writing, witnessed by the magistrate, whereby he shall be bound to answer that matter before a competent judge in his own country; which being done, it shall not be lawful either

either for the seamen to desert their ship, or to hinder the commander from prosecuting his voyage. It shall moreover be lawful for the merchants on both sides, in the places of their abode, or elsewhere, to keep books of their accounts and affairs, as they shall think fit, and to have an intercourse of letters, in such language or idiom as they shall please, without any molestation or search whatsoever. But if it should happen to be necessary for them to produce their books of accounts, for deciding any dispute and controversy, in such case they shall be obliged to bring into court the entire books or writings, but so as that the judge may not have liberty to inspect any other articles in the said books than such as shall relate to the testimony or authority in question, or such as shall be necessary to give credit to the said books; neither shall it be lawful, under any pretence, to take the said books or writings forcibly out of the hands of the owners, or to retain them; the case of bankruptcy only excepted: neither shall the said subjects of the Queen of Great Britain be obliged to write their accounts, copies of letters, acts or instruments relating to trade, on stamped paper, in French, *papier timbré*, except their day-book, which, that it may be produced as evidence in any law-suit, ought, according to the laws, which all persons trading in France are to observe, to be subscribed *gratis* by the judge, and marked or flourish'd with his own hand.

XV. It shall not be lawful for any foreign privateers, not being subjects of one or of the other of the confederates, who have commissions from any other Prince or State in enmity with either nation, to fit their ships in the ports of one or the other of the aforesaid parties, to sell what they have taken, or in any other manner whatever to exchange either ships, merchandizes, or any other ladings; neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that Prince from whom they have commissions.

XVI. The ships of both parties being laden, sailing along the coasts or shores of the other, and being forced by storm into the havens or ports, or coming to land in any other manner, shall not be obliged there to unlade their goods, or any part thereof, or to pay any duty, unless they do of their own accord unlade their goods there, or dispose of any part of their lading: but it may be lawful to take out of the ship, and to sell (leave being first obtained from those who have the inspection of sea affairs) a small part of their lading, for this end only, that necessaries either for the refreshment or victualling of the ship may be purchased; and in that case the whole lading of the ship shall not be subject to pay the duties, but that small part only which has been taken out and sold.

XVII. It shall be lawful for all and singular the subjects of the Queen of Great Britain, and of the most Christian King, to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandizes laden thereon, from any port, to the places of those who are now, or shall be hereafter, at enmity with the Queen of Great Britain, or the most Christian King; it shall likewise be lawful for the subjects and inhabitants aforesaid to sail with the ships and merchandizes aforesaid, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both, or of either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforesaid to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same Prince, or under several. And as it is now stipulated concerning ships and goods, that free ships shall also give a freedom to goods, and that every thing shall be deemed to be free and exempt which shall be found on board the ships belonging to the subjects of either of the confederates, although the whole lading,

lading, or any part thereof, should appertain to the enemies of either of their Majesties, contraband goods being always excepted, on the discovery whereof, matters shall be managed according to the sense of the subsequent articles; it is also agreed, in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both, or to either party, they are not to be taken out of that free ship, unless they are soldiers, and in actual service of the enemies.

XVIII. This liberty of navigation and commerce shall extend to all kinds of merchandizes, excepting those only which follow in the next article, and which are signified by the name of Contraband.

XIX. Under this name of contraband or prohibited goods, shall be comprehended arms, great guns, bombs, with their fuses and other things belonging to them; fire-balls, gunpowder, match, cannon-ball, pikes, swords, lances, spears, halberds, mortars, petards, grenades, salt-petre, muskets, musket-ball, helmets, head-pieces, breast-plates, coats of mail, and the like kinds of arms proper for arming soldiers, musket-rests, belts, horses with their furniture, and all other warlike instruments whatever.

XX. These merchandizes which follow shall not be reckoned among prohibited goods; that is to say, all sorts of cloths, and all other manufactures woven of any wool, flax, silk, cotton, or any other materials whatever; all kinds of cloaths and wearing-apparel, together with the species whereof they are used to be made; gold and silver, as well coined as uncoined, tin, iron, lead, copper, brass, coals; as also wheat and barley, and any other kind of corn and pulse; tobacco, and likewise all manner of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, sugars, and all sorts of salt, and, in general, all provisions which serve for the nourishment of mankind and the sustenance of life. Furthermore, all kinds of

cotton, hemp, flax, tar, pitch, ropes, cables, sails, fail-cloths, anchors, and any parts of anchors; also ship-masts, planks, boards, and beams, of what trees soever; and all other things proper either for building or repairing ships; and all other goods whatever, which have not been worked into the form of any instrument or thing prepared for war, by land or by sea, shall not be reputed contraband, much less such as have been already wrought and made up for any other use; all which shall wholly be reckoned among free goods, as likewise all other merchandizes and things which are not comprehended and particularly mentioned in the preceding article, so that they may be transported and carried, in the freest manner, by the subjects of both confederates, even to places belonging to an enemy, such towns or places being only excepted as are at that time besieged, blocked up round about, or invested.

XXI. To the end that all manner of dissensions and quarrels may be avoided and prevented on one side and the other, it is agreed, that in case either of their Royal Majesties, who are allied, should be engaged in war, the ships and vessels belonging to the subjects of the other ally must be furnished with sea-letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby that the ship really and truly belongs to the subjects of one of the Princes; which passports shall be made out and granted according to the form annexed to this treaty; they shall likewise be recalled every year, that is, if the ship happens to return home within the space of a year. It is likewise agreed, that such ships being laden, are to be provided, not only with passports, as above-mentioned, but also with certificates containing the several particulars of the cargo, the place whence the ship sailed, and whither she is bound, that so it may be known whether any forbidden

bidden or contraband goods, as are enumerated in the nineteenth article of this treaty, be on board the same; which certificates shall be made out by the officers of the place whence the ship set sail, in the accustomed form. And if any one shall think it fit or advisable to express in the said certificates the person to whom they belong, he may freely do so.

XXII. The ships of the subjects and inhabitants of both their most Serene Royal Majesties, coming to any of the sea-coasts within the dominions of either of the confederates, but not willing to enter into port, or being entered, yet not being willing to shew or to sell the cargoes of their ships, shall not be obliged to give an account of their lading, unless they are suspected, upon sure evidence, of carrying to the enemies of the other confederate prohibited goods, called contraband.

XXIII. And in case of the said manifest suspicion, the said subjects and inhabitants of the dominions of both their most Serene Royal Majesties shall be obliged to exhibit in the ports their passports and certificates, in the manner before specified.

XXIV. But in case the ships of the subjects and inhabitants of both their most Serene Royal Majesties, either on the sea-coast, or on the high seas, shall meet with the men of war of the other, or with privateers, the said men of war and privateers, for preventing any inconveniences, are to remain out of cannon-shot, and to send a boat to the merchant-ship which has been met with, and shall enter her with two or three men only, to whom the master or commander of such ship or vessel shall shew his passport, concerning the property thereof, made out according to the form annexed to this present treaty; and the ship which shall exhibit one, shall have free passage, and it shall be wholly unlawful any way to molest her, search, or compel her to quit her intended course.

XXV. But that merchant-ship of the other party, which intends to go to a port at enmity with the other confederate, or concerning whose voyage, and the sort of goods on board, there may be just suspicion, shall be obliged to exhibit, either on the high seas, or in the ports and havens, not only her passports, but her certificates, expressing that they are not of the kind of goods prohibited, which are specified in the nineteenth article.

XXVI. But if one party, on the exhibiting the abovesaid certificates, mentioning the particulars of the things on board, should discover any goods of that kind which are declared contraband or prohibited, by the nineteenth article of this treaty, designed for a port subject to the enemy of the other, it shall be unlawful to break up the hatches of that ship wherein the same shall happen to be found, whether she belong to the subjects of Great Britain or of France, to open the chests, packs, or casks therein, or to remove even the smallest parcel of the goods, unless the lading be brought on shore in the presence of the officers of the court of admiralty, and an inventory thereof made; but there shall be no allowance to sell, exchange, or alienate the same in any manner, unless after that due and lawful process shall have been had against such prohibited goods, and the judges of the admiralty respectively shall, by a sentence pronounced, have confiscated the same; saving always, as well the ship itself, as the other goods found therein, which by this treaty are to be esteemed free; neither may they be detained on pretence of their being, as it were, infected by the prohibited goods, much less shall they be confiscated as lawful prize: but if not the whole cargo, but only part thereof shall consist of prohibited or contraband goods, and the commander of the ship shall be ready and willing to deliver them to the captor who has discovered them, in such case the captor, having received those goods, shall forthwith discharge the ship, and not hinder

hinder her by any means freely to prosecute the voyage on which she was bound.

XXVII. On the contrary, it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party, on any ship belonging to the enemy of the other, and his subjects, the whole, although it be not of the sort of prohibited goods, may be confiscated, in the same manner as if it belonged to the enemy himself; except those goods and merchandizes as were put on board such ship before the declaration of war, or even after such declaration, if so be it were done within the time and limits following; that is to say, if they were put on board such ship, in any port and place within the space of six weeks after such declaration, within the bounds called the Naze in Norway, and the Soundings; of two months, from the Soundings to the city of Gibraltar; of ten weeks, in the Mediterranean sea; and of eight months, in any other country or place in the world: so that the goods of the subjects of either Prince, whether they be of the nature of such as are prohibited, or otherwise, which, as is aforesaid, were put on board any ship belonging to an enemy before the war, or after the declaration of the same, within the time and limits aforesaid, shall no ways be liable to confiscation, but shall well and truly be restored without delay to the proprietors demanding the same; but so as that if the said merchandizes be contraband, it shall not be any ways lawful to carry them afterwards to the ports belonging to the enemy.

XXVIII. And, that more abundant care may be taken for the security of the subjects of both their most Serene Royal Majesties, that they suffer no injury by the men of war or privateers of the other party, all the commanders of the ships of the Queen of Great Britain, and of the most Christian King, and all their subjects, shall be forbid doing any injury or damage to the other side; and if they act to the con-

trary, they shall be punished, and shall moreover be bound to make satisfaction for all cause of damage, and the interest thereof, by reparation, under the bond and obligation of their person and goods.

XXIX. For this cause, all commanders of privateers, before they receive their patents or special commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by good bail, who are men able to pay, and have no interest in the said ship, and are each bound in the whole for the sum of 1,500*l.* sterling, or 16,500 *livres Tournois*; or, if such ship be provided with above one hundred and fifty seamen or soldiers, for the sum of 3,000*l.* sterling, or 33,000 *livres Tournois*, that they will make entire satisfaction for any damages and injuries whatsoever, which they, or their officers, or others in their service, commit during their course at sea, contrary to this present treaty, or the edicts of either of their most Serene Royal Majesties published by virtue thereof; under penalty likewise of having their special commissions and patents revoked and annulled.

XXX. Both their above-named Royal Majesties being willing to shew a mutual and equal favour, in all their dominions respectively, to the subjects of each other, in the same manner as if they were their own subjects, will give such orders as shall be necessary and effectual, that justice be administered concerning prizes in the court of admiralty, according to the rule of equity and right, and the articles of this treaty, by judges who are above all suspicion, and who have no manner of interest in the cause in dispute.

XXXI. Whensoever the ambassadors of each of their Royal Majesties above-named, and other their ministers, having a public character, and residing in the court of the other Prince, shall complain of the unjustness of the sentences which have been given, their Majesties on each side shall take care that the same be revised and re-examined in their respective councils,

councils, that it may appear whether the directions and provisions prescribed in this treaty have been observed, and have had their due effect: they shall likewise take care that this matter be effectually provided for, and that right be done to every complainant within the space of three months. However, before or after judgment given, the revision thereof still depending, for the avoiding of all damage, it shall not be lawful to sell the goods in dispute, or to unlade them, unless with the consent of the persons concerned.

XXXII. A suit being commenced between the captors of prizes on one part, and the reclaimers of the same on the other, and a sentence or decree being given in favour of the claimer, that same sentence or decree, security being given, shall be put in execution, the appeal of the captor to a superior judge in any wise notwithstanding; which, however, is not to be observed when judgment has been given against the reclaimers.

XXXIII. In case that either ships of war, or merchantmen, forced by storm, or other misfortune, be driven on rocks or shelves on the coasts of one or the other party, and are there broken to pieces and shipwrecked, whatever part of the ships or tackling thereof, as also of the goods and merchandizes, shall be saved, or the produce thereof, shall be faithfully restored to the proprietors, reclaimers, or their factors, paying only the expences of preserving the same, in such manner as it may be settled on both sides concerning the rate of salvage; saving, at the same time, the rights and customs of each nation: and both their most Serene Royal Majesties will interpose their authority, that such of their subjects may be severely punished, who in the like accident shall be found guilty of inhumanity.

XXXIV. It shall be free for the subjects of each party to employ such advocates, attornies, notaries, solicitors, and factors, as they shall think fit; to which
end

and the said advocates, and others abovementioned, may be appointed by the ordinary judges, if it be needful, and the judges be required thereunto.

XXXV. And, that commerce and navigation may be more securely and freely followed, it is further agreed, that neither the Queen of Great Britain, nor the most Christian King, shall receive any pirates and robbers into any of their ports, havens, cities, or towns, neither shall they permit them to be received into their ports, to be protected or assisted by any manner of harbouring or support, by any the subjects or inhabitants of either of them; but they shall rather cause all such pirates and sea-robbers, or whoever shall receive, conceal, or assist them, to be apprehended and punished as they deserve, for a terror and example to others. And all the ships, goods, or merchandizes, being piratically taken by them, and brought into the ports of the kingdom of either, as much as can be found, although they have by sale been conveyed to others, shall be restored to the lawful owners, or their deputies, having instruments of delegation, and an authority of procuration for reclaiming the same; and indemnification shall be made, proper evidence being first given in the court of admiralty for proving the property. And all ships and merchandizes, of what nature soever, which can be rescued out of their hands on the high seas, shall be brought into some port of either kingdom, and shall be delivered to the custody of the officers of that port, with this intention, that they be delivered entire to the true proprietor, as soon as due and sufficient proof shall have been made concerning the property thereof.

XXXVI. It shall be lawful, as well for the ships of war of both their most Serene Royal Majesties, as for privateers, to carry whithersoever they please the ships and goods taken from their enemies, neither shall they be obliged to pay any thing to the officers of the admiralty, or to any other judges; nor shall the aforementioned prizes, when they come to and enter the
ports

ports of either of their most Serene Royal Majesties, be detained by arrest, neither shall searchers, or other officers of those places, make examination concerning them, or the validity thereof; but rather they shall have liberty to hoist sail at any time, to depart, and to carry their prizes to that place which is mentioned in their commission or patent, which the commanders of such ships of war shall be obliged to shew: on the contrary, no shelter or refuge shall be given in their ports to such as have made a prize upon the subjects of either of their Royal Majesties. And if perchance such ships shall come in, being forced by stress of weather, or the danger of the sea, particular care shall be taken (as far as it is not repugnant to former treaties made with other Kings and States) that they go from thence, and retire elsewhere, as soon as possible.

XXXVII. Neither of their most Serene Royal Majesties shall permit that the ships or goods of the other be taken upon the coasts, or in the ports or rivers of their dominions, by ships of war, or others having commission from any Prince, Commonwealth, or town whatsoever; and in case such a thing should happen, both parties shall use their authority and united force that the damage done be made good.

XXXVIII. If hereafter it shall happen, through inadvertency, or otherwise, that any contraventions or inconveniences, on either side, arise concerning the observation of this treaty, the friendship and good intelligence shall not immediately thereupon be broke off; but this treaty shall subsist in all its force, and a proper remedy for removing the inconveniences shall be procured, as likewise reparation of the contraventions; and if the subjects of the one or the other be found in fault, they only shall be severely punished and chastised.

XXXIX. But if it shall appear that a captor made use of any kind of torture upon the master of the ship, the ship's crew, or others who shall be on board any ship

ship belonging to the subjects of the other party; in such case, not only the ship itself, together with the persons, merchandizes, and goods whatsoever, shall be forthwith released without any further delay, and set entirely free, but also such as shall be found guilty of so great a crime, as also the accessaries thereunto, shall suffer the most severe punishment, suitable to their crime: this the Queen of Great Britain, and the most Christian King, do mutually engage shall be done, without any respect of persons.

Form of the Passports to be desired of, and given by, the Lord High Admiral of Great Britain, &c. or by the Lords Commissioners for executing the Office of High Admiral of Great Britain, &c. according to the Direction of the twenty-first Article of this Treaty.

TO all to whom these presents shall come, greeting.
 We high admiral of Great Britain, &c.
 (or) We commissioners for execut-
 ing the office of high admiral of Great Britain, &c. do
 make known and testify by these presents, That *A. B.*
of *C.* the usual place of his dwell-
 ing, master or commander of the ship called *D.*
 appeared before us, and declared by solemn oath, (or)
 produced a certificate under the seal of the magistrate, or
 of the officers of the customs of the town and port of *E.*

Dated the day of the month of
 in the year of our Lord 17 of and concerning the
 oath made before them, that the said ship and ves-
 sel *D.* burthen tons, whereof he him-
 self is at this time master or commander, doth really
 and truly belong to the subjects of her most Serene
 Majesty our most gracious Sovereign. And where-
 as it would be most acceptable to us, that the said
 master or commander should be assisted in the af-
 fairs wherein he is justly and honestly employed, we
 desire you, and all and every of you, that wherefo-
 ever the said master or commander shall bring his
 ship, and the goods on board thereof, you would cause
him

him to be kindly received, to be civilly treated, and in paying the lawful and accustomed duties, and other things, to be admitted to enter, to remain in, to depart out of, your ports, rivers, and dominions, and to enjoy all manner of right, and all kind of navigation, traffic, and commerce, in all places where he shall think it proper and convenient. For which we shall always be most willing and ready to make returns to you in a grateful manner. In witness and confirmation whereof, we have signed these presents, and caused our seal to be put thereunto. Given at the day of the month of in the year 17

Form of the Certificates to be required of, and to be given by, the Magistrate, or Officers of the Customs, of the Town and Port, in their respective Towns and Ports, to the Ships and Vessels which sail from thence, according to the Direction of the twenty-first Article of this present Treaty.

WE *A. B.* magistrate (or) officers of the customs of the town and port of *C.* do certify and attest, That on the day of the month of in the year of our Lord 17 *D. E.* of *F.* personally appeared before us, and declared by a solemn oath, that the ship or vessel called *G.* of about tons, whereof *H. I.* of *K.* his usual place of habitation, is master or commander, does rightfully and properly belong to him and others, subjects of her most Serene Majesty our most gracious Sovereign, and to them alone; that she is now bound from the port of *L.* to the port of *M.* laden with the goods and merchandizes hereunder particularly described and enumerated, that is to say, as follows:

In witness whereof, we have signed this certificate, and sealed it with the seal of our office. Given the day of the month of in the year of our Lord 17

Form

Form of the Passports and Letters which are to be given, in the Admiralty of France, to the Ships and Barks which shall go from thence, according to the twenty-first Article of this present Treaty.

LEWIS, Count of Thouloufe, Admiral of France, to all who shall see these presents, greeting. We make known, that we have given leave and permission to
 master and commander of the ship
 called of the town of burthen
 tons, or thereabouts, lying at present in the
 port and haven of and bound for
 and laden with after that his ship has
 been visited, and before sailing, he shall make oath
 before the officers who have the jurisdiction of mari-
 time affairs, that the said ship belongs to one or more
 of the subjects of his Majesty, the act whereof shall be
 put at the end of these presents; as likewise that he
 will keep, and cause to be kept by his crew on board,
 the marine ordinances and regulations, and enter in the
 proper office a list signed and witnessed, containing the
 names and surnames, the places of birth and abode
 of the crew of his ship; and of all who shall embark
 on board her, whom he shall not take on board with-
 out the knowledge and permission of the officers of
 the marine; and in every port or haven where he shall
 enter with his ship, he shall shew this present leave to
 the officers and judges of the marine, and shall give a
 faithful account to them of what passed and was done
 during his voyage. And he shall carry the colours,
 arms, and ensigns of the King, and of us, during his
 voyage. In witness whereof, we have signed these
 presents, and put the seal of our arms thereunto, and
 caused the same to be countersigned by our secretary
 of the marine, at the day of
 17 Signed LEWIS, Count of Thou-
 louse; and underneath, by

Form

Form of the Act containing the Oath.

WE _____ of the admiralty of
do certify, That _____ master of the ship named
in the above passport, has taken the oath mentioned
therein. Done at _____ the _____ day of
17

XL. The present treaty shall be ratified by the Queen of Great Britain, and by the most Christian King, and the ratifications thereof shall be duly exchanged at Utrecht within four weeks, or sooner if possible.

XLI. In witness whereof, we the underwritten Ambassadors Extraordinary and Plenipotentiaries of the Queen of Great Britain, and of the most Christian King, have set our hands and seals to this present treaty, at Utrecht, the _____ day of ^{March}/_{April}, in the year of our Lord 1713.

(L. S.) *Job. Bristol*, C. P. S. (L. S.) *Huxelles*.
(L. S.) *Strafford*. (L. S.) *Mefnager*.

ANNE R.

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c.; to all and singular to whom these presents shall come, greeting. Whereas the congress that was held at Utrecht in the beginning of the last year, for making a general peace, has been drawn out into length above these fourteen months, by various obstacles which have been thrown in the way, contrary to our hopes and wishes; but now, by the favour and goodness of Almighty God (who has been pleased to inspire the love of concord more strongly into the breasts of the parties engaged in war) it seems happily to tend towards the end so long desired, and so necessary for the tranquillity and welfare of Europe; we having at
2 last

last adjusted, with our good brother the most Christian King, our matters on both sides, relating both to peace and to commerce, to the end that our Ministers, who have hitherto, under the title of Plenipotentiaries, applied themselves, with our highest approbation, to the discharge of this employment, may with greater splendor put an end to this most wholesome work, have thought fit to give them the most honourable character of our Ambassadors Extraordinary. Now know ye, that we reposing especial confidence in the loyalty, industry, experience, and sagacity in managing matters of great importance, of the Right Reverend Father in God our right trusty and well-beloved counsellor John Bishop of Bristol, Keeper of our Privy Seal, Dean of Windsor, and Register of our most Noble Order of the Garter; and of our right trusty and right well-beloved cousin and counsellor Thomas Earl of Strafford, Viscount Wentworth of Wentworth Woodhouse and Stainborough, Baron of Raby, Lieutenant General of our forces, First Commissioner of our Admiralty, Knight of our most Noble Order of the Garter, and our Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, have named, made, and constituted them, as by these presents we do name, make, and constitute them, our true, certain, and undoubted Ambassadors Extraordinary, Commissioners, Procurators, and Plenipotentiaries, giving and granting to them, jointly and separately, all and all manner of power, faculty, and authority, as also both general and special order (but so as the general do not derogate from the special, nor on the contrary) to meet and confer in the city of Utrecht, or in any other place, with the Ambassadors Extraordinary and Plenipotentiaries which the said most Christian King shall have deputed on his part, being furnished with sufficient authority, and to treat, agree, and conclude concerning the adjusting, in the most friendly manner, the conditions of navigation and commerce between

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our

our subjects and those of the said most Christian King; and to sign for us, and in our name, all such things as shall be so agreed and concluded; and to make out such and so many instruments of what is concluded, as shall be necessary, and to exchange and mutually receive the same; and generally to do and perform all such things as they shall judge necessary, or any way conducive towards making and settling the conditions of navigation and commerce, as is abovesaid, in as ample manner and form, and with the like force and effect, as we ourselves might do and perform, if we were present; engaging and promising, on our Royal word, that we will accept, approve, and ratify, in the same manner and form as they have been agreed, all and every thing that by virtue of these presents shall happen to be transacted, concluded, and signed by our said Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, jointly or separately. In witness and confirmation whereof, we have commanded our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace of St. James's, the 24th day of the month of March, in the year of our Lord 1787, and of our reign the twelfth.

LEWIS, by the grace of God, King of France and Navarre, to all who shall see these presents, greeting. Whereas we have omitted nothing for contributing with all our might towards the re-establishment of a sincere and solid peace; and as our most dear and most beloved sister the Queen of Great Britain has shewn the same desire; and as there is room to hope, that the conferences which are held at Utrecht, for attaining to so desirable a good, will in a little time have a happy issue; and being willing likewise to apply all our care for promoting the effect thereof, and reposing entire confidence in the capacity, experience, zeal, and fidelity for our service, of our most dear and well-beloved cousin the Marquis

d'Huxelles, Marshal of France, Knight of our Orders, and our Lieutenant General of the government of Burgundy, and of our dear and well-beloved the Sieur Mesnager, Knight of our Order of St. Michael. For these causes, and other good considerations us hereunto moving, we have commissioned, ordained, and deputed, as by these presents, signed with our hand, we do commission, ordain, and depute the said Sieurs Marshal d'Huxelles and Mesnager, and have given, and do give to them full power, commission, and special command, in quality of our Ambassadors Extraordinary, and our Plenipotentiaries, to confer, negotiate, and treat with the Ambassadors Extraordinary, Plenipotentiaries of our said sister, provided with her powers in due form, to agree, conclude, and sign such treaties of commerce, articles, and conventions, as they shall see good. We will that in case of absence of one of them by sickness, or through any other lawful cause, the other have the same power to confer, negotiate, treat, agree, conclude, and sign such treaties of commerce, articles, and conventions, as shall be agreeable to the good which we propose to ourselves, and to the reciprocal advantage of our subjects, so that our said Ambassadors Extraordinary and Plenipotentiaries may act, in all which shall belong to the negotiation with our said sister, with the same authority as we should and might do, if we were present in person, although there should be something which might require a more special order than is contained in these presents. We promise, on the faith and word of a King, to approve, and to keep firm and lasting for ever, to fulfil and execute punctually, all that the said Sieurs Marshal d'Huxelles and Mesnager, or one of them, in the said cases of absence, or of sickness, shall stipulate, promise, and sign, by virtue of this present power, without ever acting contrary thereto, or permitting that any thing be done to the contrary, on any cause, or under any pretence whatsoever; as likewise to cause our letters ratifying the same to be dispatched,

patched, in good form, and to cause them to be delivered, in order to be exchanged, within the time which shall be agreed on by the treaties to be made. For this is our pleasure. In witness whereof, we have caused our seal to be affixed to these presents. Given at Versailles, the fourth day of March, in the year of our Lord 1713, and of our reign the seventieth. Signed LEWIS; and on the fold, By the King. *Colbert.*

BE it known unto all men, that whereas in the 9th article of the treaty of commerce, concluded this day between the most Serene Queen of Great Britain and the most Serene the most Christian King, by their Majesties Ambassadors Extraordinary and Plenipotentiaries, mention is made of some heads of matters, which being proposed on the part of Great Britain, have not as yet been mutually adjusted; and therefore it was thought fit to refer them to be discussed and determined by commissioners: we therefore, the under-written Ambassadors, that it may certainly appear what are those heads of matters which are to be referred to commissioners, have resolved to give a particular description of them in this writing; declaring that they are the same, and no other than what follow:

I. No manufactures of either kingdom, and the dominions belonging thereunto, shall hereafter be subject to be inspected and confiscated, under any pretence of fraud or defect in making or working them, or because of any other imperfection therein; but absolute freedom shall be allowed to the buyer and seller, to bargain and agree for the same as they shall see good; any law, statute, edict, arrest, privilege, grant, or custom, to the contrary notwithstanding.

II. And forasmuch as a certain usage, not confirmed by any law, has obtained in several towns of Great Britain and of France; that is to say, that every one, for coming in, and going out, shall pay a kind

of tax, called in English, Head-Money, and in French, Du Chef; it is concluded, that neither the same, nor any other duty on that account, shall any more be exacted.

III. And the British merchants shall not hereafter be forbidden to sell the said tobacco to any buyer whom they please; for which purpose, the letting out the duties on the said tobacco to farmers, which has been hitherto practised, shall cease, neither shall such farming be used again hereafter.

IV. The following case only being excepted, that is to say, where British ships shall take up merchandizes in one port, and carry them to another port of France, in which case, and in no other, the British subjects shall be obliged to pay the duties abrogated and abolished by this article, only in proportion to the goods which they take in, and not according to the bulk of the ship.

V. Whereas several kinds of goods, contained in casks, chests, or other cases, for which the duties are paid by weight, will be exported from, and imported into, France by British subjects, it is therefore agreed, that in such case the aforesaid duties shall be payable only according to the weight of the goods themselves; but the weight of the casks, chests, and other cases whatever, shall be deducted in such manner, and in such proportion, as has been hitherto in use in England, and is still practised.

VI. It is further agreed, that if any mistake or error shall on either side be committed by any master of a ship, his interpreter, or factor, or by others employed by him, in making the entry or declaration of the goods on board his ship, for such defect, if so be some fraud does not evidently appear, neither the ship nor the lading thereof shall be subject to be confiscated, but it shall be free for the proprietors to take back again such goods as were omitted in the entry or declaration

claration of the master of the ship, paying only the accustomed duties according to the rates settled in the books; neither shall the merchants, or the master of the ship, lose the said goods, or suffer any other punishment, if so be that the said goods, so omitted, were not brought on shore before the declaration made, and the customs paid for the same.

VII. And whereas the quality of the ship, matter, and goods, will sufficiently appear from such passports and certificates, it shall not be lawful for the commanders of men of war to exact any other verification, under any title whatsoever. But if any merchant ship shall want such passports or certificates, then it may be examined by a proper judge, but in such manner as, if it shall be found, from other proofs and documents, that it does truly belong to the subjects of either of the confederates, and does not contain any prohibited goods, designed to be carried to the enemy of the other, it shall not be liable to confiscation, but shall be released, together with its cargo, in order to proceed on its voyage, since it may often happen that such papers could not come to the ship when she was setting sail from any port, or that they have been lost by some chance or other, or that they have been taken away from the ship. And if, besides the passports and certificates made according to the form of their treaty, other passports and certificates happen to be found in the ship, in another form, and perhaps according to the prescription of treaties made with others, no pretence shall be taken from thence of detaining, or in any wise molesting, either the ship, or men, or goods. If the master of the ship named in the passports be removed by death, or any other cause, and another be put in his place, the passports shall nevertheless retain their force, and the ships, and goods laden thereon, shall be secure.

VIII. It is further provided on both sides, and shall be taken for a general rule, that a ship and goods, although they have remained in the enemy's power for

four and twenty hours, shall not therefore be esteemed as capture, and be immediately made prize; but if, on other accounts, they ought to be restored, they may be reclaimed, and shall be given again to the proprietors.

IX. It shall be free for both their Royal Majesties, for the advantage of their subjects trading to the kingdoms and dominions of the other, to constitute national consuls of their own subjects, who shall enjoy that right and liberty which belongs to them by reason of the exercise of their function; but as to the places where such consuls are to be appointed, both sides shall afterwards agree between themselves.

In witness whereof, we the Ambassadors Extraordinary and Plenipotentiaries of her Sacred Royal Majesty of Great Britain, and of his Sacred Royal most Christian Majesty, have subscribed this present instrument with our hands, and set our seals thereunto. At Utrecht, the $\frac{31}{1}$ day of the month of $\frac{\text{March}}{\text{April}}$, in the year 1713.

(L. S.) *Job. Bristol*, C. P. S. (L. S.) *Huxelles*.
(L. S.) *Strafford*. (L. S.) *Mefnager*.

BE it known unto all men, that whereas, in the 9th article of the treaty of navigation and commerce, concluded the $\frac{31}{1}$ day of $\frac{\text{March}}{\text{April}}$, 1713, between the most Serene Queen of Great Britain, and the most Serene the most Christian King, by the Ambassadors Extraordinary and Plenipotentiaries of their Majesties, certain merchandizes, namely, woollen manufactures, sugar, salt-fish, and what is produced from whales, are excepted in general words from the rule of the tariff made the 18th day of the month of September, in the year 1664, in order to be afterwards referred to the discussion of commissaries; to prevent therefore all mistakes and ambiguity, which might perhaps

perhaps arise from such general terms, and to make it more evidently appear what particular sorts of goods are to come under the consideration of the aforesaid commissaries, we the under-written Ambassadors Extraordinary and Plenipotentiaries have declared by these presents, and do declare, that the exception of the above-mentioned merchandizes is to be understood in the manner following.

I. Whalebone cut and prepared, fins and oils of whales, shall pay, at all places of importation in the kingdom, the duties appointed by the tariff of the 7th of December, 1699.

II. Cloths, ratines, and ferges, shall be likewise subject to the same duties of the tariff of the 7th of December, 1699; and in order to facilitate the trade thereof, it shall be allowed to import them by St. Valery upon the Somme, by Rouen, and by Bourdeaux, where these goods shall be subject to visitation in the same manner as those which are made in the kingdom.

III. Salt-fish in barrels only is to be imported into the kingdom; and at all places of entrance in the kingdom, countries, and territories under the dominion of the King, even at all free ports, the duties of landing and of consumption shall be paid which were appointed before the tariff of 1664, and besides 40 livres per last, consisting of 12 barrels, weighing each 300*lb.* for the duty of entry; which entry shall not be permitted but by St. Valery upon the Somme, Rouen, Nants, Libourn, and Bourdeaux, and shall remain prohibited at all other harbours or ports, as well in the ocean as in the Mediterranean.

IV. Refined sugar in loaf or in powder, white and brown sugar-candy, shall pay the duties appointed by the tariff of 1699.

In confirmation of which, we the under-written Ambassadors Extraordinary and Plenipotentiaries of

her Majesty the Queen of Great Britain, and the most Christian King, have signed and sealed these presents, at Utrecht, the 2⁸ day of ^{April}May, in the year 1713.

(L. S.) *Job. Bristol, C. P. S.* (L. S.) *Huxelles.*
(L. S.) *Strafford.* (L. S.) *Mesnager.*

[The treaty of AIX-LA-CHAPELLE, 1748, is printed from the copy which was published by authority in 1749.]

The Definitive Treaty of Peace and Friendship between his Britannic Majesty, the most Christian King, and the States General of the United Provinces; concluded at Aix-la-Chapelle, the 18th Day of October, N. S. 1748; to which the Empress Queen of Hungary, the Kings of Spain and Sardinia, the Duke of Modena, and the Republic of Genoa, have acceded.

In the name of the most holy and undivided Trinity, the Father, Son, and Holy Ghost,

BE it known to all, those whom it shall or may concern, in any manner whatsoever. Europe sees the day, which the Divine Providence had pointed out for the re-establishment of its repose. A general peace succeeds to the long and bloody war, which had arose between the most Serene and most Potent Prince George II. by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswick and Lunenbourg, Arch-Treasurer and Elector of the Holy Roman Empire, &c. and the most Serene and most Potent Princess Mary Theresia, by the grace of God, Queen of Hungary and Bohemia, &c. Empress of the Romans, on the one part; and the most Serene and most Potent Prince Lewis XV. by the grace of God, the most Christian King, on the other; as also between the King of Great Britain, the
Empress

Empress Queen of Hungary and Bohemia, and the most Serene and most Potent Prince Charles Emanuel III. by the grace of God, King of Sardinia, on the one part, and the most Serene and most Potent Prince Philip V. by the grace of God, King of Spain and the Indies (of glorious memory) and after his decease, the most Serene and most Potent Prince Ferdinand VI. by the grace of God, King of Spain and the Indies, on the other: in which war the High and Mighty Lords the States General of the United Provinces of the Low Countries had taken part, as auxiliaries to the King of Great Britain and the Empress Queen of Hungary and Bohemia; and the most Serene Duke of Modena, and the most Serene Republic of Genoa, as auxiliaries to the King of Spain. God, in his mercy, made known to all these Powers, at the same time, the way which he had decreed for their reconciliation, and for the restoration of tranquillity to the people, whom he had subjected to their government. They sent their Ministers to Aix-la-Chapelle, where those of the King of Great Britain, his most Christian Majesty, and of the States General of the United Provinces, having agreed upon preliminary conditions for a general pacification; and those of the Empress Queen of Hungary and Bohemia, of his Catholic Majesty, of the King of Sardinia, of the Duke of Modena, and of the Republic of Genoa, having acceded thereunto, a general cessation of hostilities, by sea and land, happily ensued. In order to complete, at Aix-la-Chapelle, the great work of a peace, equally stable and convenient for all parties, the high contracting Powers have nominated, appointed, and provided with their full powers, the most illustrious and most excellent Lords their Ambassadors Extraordinary and Ministers Plenipotentiary, viz. his Sacred Majesty the King of Great Britain, John Earl of Sandwich, Viscount Hinchinbrook, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the
Lords

Lords Regents of the kingdom, his Minister Plenipotentiary to the States General of the United Provinces, and Sir Thomas Robinson, Knight of the most honourable Order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia.

His Sacred most Christian Majesty, Alphonso Maria Lewis Count de St. Severin of Arragon, Knight of his Orders, and John Gabriel de la Porte du Theil, Knight of the Order of our Lady of Mount Carmel, and of St. Lazarus of Jerusalem, Counsellor of the King in his Councils, Secretary of the Chamber, and of the Cabinet of his Majesty, of the Orders of the Dauphin, and of Mesdames of France.

Her Sacred Majesty the Empress Queen of Hungary and Bohemia, Wenceslaus Anthony Count of Kaunitz Rittberg, Lord of Effens, Stedefeldorff, Wittmund, Austerlitz, Hungrifchbrod, Wite, &c. &c. actual intimate Counsellor of State to their Imperial Majesties.

His Sacred Catholic Majesty, the Lord Don James Matone de Lima and Sotto Major, Gentleman of the Bed-chamber to his Catholic Majesty, and Major General of his forces.

His Sacred Majesty the King of Sardinia, Don Joseph Offorio, Knight, Grand Croix and Grand Conservator of the Military Order of the Saints Maurice and Lazarus, and Envoy Extraordinary of his Majesty the King of Sardinia to his Majesty the King of Great Britain; and Joseph Borré, Count Chavanne, his Counsellor of State, and his Minister to the Lords the States General of the United Provinces.

The High and Mighty Lords the States General of the United Provinces, William Count Bentinck, Lord of Rhoon and Pendrecht, one of the Nobles of the province of Holland and West Friesland, Curator of the University of Leyden, &c. &c. &c. Frederick Henry, Baron of Wassenaer, Lord of Catwyck and Zand,

Zand, one of the Nobles of the province of Holland and West Friesland, Hoog-Heemrade of Rhymland, &c. Gerard Arnout Hasselaer, Burgo-master and Counsellor of the city of Amsterdam, Director of the East India Company; John Baron of Borsele, First Noble and Representative of the Nobility in the States, in the Council and Admiralty of Zeland, Director of the East India Company; Onno Zwier Van Haren, Grietman of West Sterlingwerf, Deputy Counsellor of the province of Friesland, and Commissary General of all the Swiss and Grison troops in the service of the aforesaid States General, and respective Deputies in the Assembly of the States General, and in the Council of State, on the part of the provinces of Holland and West Friesland, Zealand, and Friesland.

The most Serene Duke of Modena, the Sieur Count de Monzone, his Counsellor of State, and Colonel in his service, and his Minister Plenipotentiary to his most Christian Majesty.

The most Serene Republic of Genoa, the Sieur Francis Marquis Doria.

Who, after having communicated their full powers to each other in due form, copies whereof are annexed at the end of this present treaty, and having conferred on the several objects, which their Sovereigns have judged proper to be inserted in this instrument of general pacification, have agreed to the several articles, which are as follow.

I. There shall be a christian, universal, and perpetual peace, as well by sea as land, and a sincere and lasting friendship, between the eight Powers abovementioned, and between their heirs and successors, kingdoms, states, provinces, countries, subjects, and vassals, of what rank and condition soever they may be, without exception of places or persons. So that the high contracting Powers may have the greatest attention to maintain, between them and their said states and subjects, this reciprocal friendship and correspondence.

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not permitting any sort of hostilities to be committed, on one side or the other, on any cause, or under any pretence whatsoever; and avoiding every thing that may, for the future, disturb the union happily re-established between them; and, on the contrary, endeavouring to procure, on all occasions, whatever may contribute to their mutual glory, interests, and advantage, without giving any assistance or protection, directly or indirectly, to those who would injure or prejudice any of the said high contracting parties.

II. There shall be a general oblivion of whatever may have been done or committed during the war now ended. And all persons, upon the day of the exchange of the ratifications of all the parties, shall be maintained or re-established in the possession of all the effects, dignities, ecclesiastical benefices, honours, revenues, which they enjoyed, or ought to have enjoyed, at the commencement of the war, notwithstanding all dispossessions, seizures, or confiscations, occasioned by the said war.

III. The treaties of Westphalia of 1648; those of Madrid, between the crowns of England and Spain, of 1667 and 1670; the treaties of peace of Nimeguen of 1678 and 1679; of Ryfwick of 1697; of Utrecht of 1713; of Baden of 1714; the treaty of the triple alliance of the Hague of 1717; that of the quadruple alliance of London of 1718; and the treaty of peace of Vienna of 1738, serve as a basis and foundation to the general peace, and to the present treaty; and, for this purpose, they are renewed and confirmed in the best form, and as if they were herein inserted word for word; so that they shall be punctually observed for the future in all their tenor, and religiously executed on the one side and the other; such points, however, as have been derogated from in the present treaty excepted.

IV. All the prisoners made on the one side and the other, as well by sea as by land, and the hostages re-

quired

quired or given during the war, and to this day, shall be restored, without ransom, in six weeks at latest, to be reckoned from the exchange of the ratification of the present treaty; and it shall be immediately proceeded upon after that exchange: and all the ships of war, as well as merchant vessels, that shall have been taken since the expiration of the terms agreed upon for the cessation of hostilities at sea; shall be, in like manner, faithfully restored, with all their equipages and cargoes; and sureties shall be given on all sides for payment of the debts, which the prisoners or hostages may have contracted, in the states where they had been detained, until their full discharge.

V. All the conquests, that have been made since the commencement of the war, or which, since the conclusion of the preliminary articles, signed the 30th of April last, may have been or shall be made, either in Europe, or the East or West Indies, or in any other part of the world whatsoever, being to be restored without exception, in conformity to what was stipulated by the said preliminary articles, and by the declarations since signed; the high contracting parties engage to give orders immediately for proceeding to that restitution, as well as to the putting the most Serene Infant Don Philip in possession of the states, which are to be yielded to him by virtue of the said preliminaries, the said parties solemnly renouncing, as well for themselves as for their heirs and successors, all rights and claims, by what title or pretence soever, to all the states, countries, and places, that they respectively engage to restore or yield; saving, however, the reversion stipulated of the states yielded to the most Serene Infant Don Philip.

VI. It is settled and agreed, that all the respective restitutions and cessions in Europe shall be entirely made and executed on all sides in the space of six weeks, or sooner if possible, to be reckoned from the day of the exchange of the ratifications of the present treaty

treaty of all the eight parties above-mentioned; so that, within the same term of six weeks, the most Christian King shall restore, as well to the Empress Queen of Hungary and Bohemia, as to the States General of the United Provinces, all the conquests which he has made upon them during this war.

The Empress Queen of Hungary and Bohemia shall be put, in consequence hereof, in full and peaceable possession of all that she possessed before the present war in the Low Countries, and elsewhere, except what is otherwise regulated by the present treaty.

In the same time the Lords the States General of the United Provinces shall be put in full and peaceable possession, and such as they had before the present war, of the places of Bergen-op-Zoom and Maeftricht, and of all they possessed before the said present war in Dutch Flanders, Dutch Brabant, and elsewhere.

And the towns and places in the Low Countries, the sovereignty of which belongs to the Empress Queen of Hungary and Bohemia, in which their High Mightinesses have the right of garrison, shall be evacuated to the troops of the Republic, within the same space of time.

The King of Sardinia shall be in like manner, and within the same time, entirely re-established and maintained in the dutchy of Savoy, and in the county of Nice, as well as in all the states, countries, places, and forts conquered and taken from him on occasion of the present war.

The most Serene Duke of Modena, and the most Serene Republic of Genoa, shall be also, within the same time, entirely re-established and maintained in the states, countries, places, and forts conquered and taken from them during the present war, conformably to the tenor of the 13th and 14th articles of this treaty, which relate to them.

All the restitutions and cessions of the said towns, forts, and places, shall be made, with all the artillery
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and warlike stores that were found there on the day of their surrender, during the course of the war, by the Powers who are to make the said cessions and restitutions, and this according to the inventories which have been made of them, or which shall be delivered *bonâ fide*, on each side. Provided that, as to the pieces of artillery, that have been removed elsewhere to be new cast, or for other uses, they shall be replaced by the same number of the same bore, or weight in metal. Provided also, that the places of Charleroy, Mons, Athe, Oudenarde, and Menin, the outworks of which have been demolished, shall be restored without artillery. Nothing shall be demanded for the charges and expences employed in the fortifications of all the other places; nor for other public or private works, which have been done in the countries that are to be restored.

VII. In consideration of the restitutions that his most Christian Majesty, and his Catholic Majesty, make, by the present treaty, either to her Majesty the Queen of Hungary and Bohemia, or to his Majesty the King of Sardinia, the dutchies of Parma, Placentia, and Guastella shall, for the future, belong to the most Serene Infant Don Philip, to be possessed by him and his male descendants, born in lawful marriage, in the same manner, and in the same extent, as they have been, or ought to be, possessed by the present possessors; and the said most Serene Infant, or his male descendants, shall enjoy the said three dutchies, conformably and under the conditions expressed in the acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

These acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the most Christian King, and Catholic King,

King, shall deliver, with the ratifications of their Majesties, to the Ambassador Extraordinary and Plenipotentiary of the King of Sardinia, the orders to the Generals of the French and Spanish troops to restore Savoy and the county of Nice to the persons appointed by that Prince to receive them; so that the restitution of the said states, and the taking possession of the dutchies of Parma, Placentia, and Guastalla, by or in the name of the most Serene Infant Don Philip, may be effected within the same time, conformably to the acts of cession, the tenor whereof follows.

WE Mary Theresia, &c. make known by these presents: Whereas, in order to put an end to the fatal war, certain preliminary articles were agreed upon, the 30th of April of this year, between the Ministers Plenipotentiaries of the most Serene and most Potent Prince George II. King of Great Britain, and the most Serene and most Potent Prince Lewis XV. the most Christian King, and their High Mightinesses the States General of the United Provinces, which have been since ratified by all the Powers concerned: the tenor of the 4th article whereof is conceived in the following manner.

The dutchies of Parma, Placentia, and Guastalla, shall be yielded to the most Serene Infant Don Philip, to serve him as an establishment, with the right of reversion to the present possessors, after that his Majesty the King of the Two Sicilies shall have succeeded to the crown of Spain: as also in case the said most Serene Infant Don Philip should happen to die without children.

And whereas a definitive treaty of peace having since been concluded, the several points relating to this affair have been, by virtue of the articles thereof, explained, by the common consent of the parties concerned, in the following manner.

In consideration of the restitutions that his most Christian Majesty and his Catholic Majesty make, by the present treaty, either to her Majesty the Queen of Hungary

Hungary and Bohemia, or to his Majesty the King of Sardinia, the dutchies of Parma, Placentia, and Guastalla shall, for the future, belong to the most Serene Infant Don Philip, to be possessed by him, and his male descendants born in lawful marriage, in the same manner, and in the same extent, as they have been or ought to be possessed by the present possessors; and the said most Serene Infant, or his male descendants, shall enjoy the said three dutchies, conformably and under the conditions expressed in the acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

These acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the most Christian King and Catholic King shall deliver, with the ratifications of their Majesties, to the Ambassadors Extraordinary and Plenipotentiaries of the King of Sardinia, the orders to the generals of the French and Spanish troops to restore Savoy and the county of Nice to the persons appointed by that Prince to receive them; so that the restitution of the said States, and the taking possession of the dutchies of Parma, Placentia, and Guastalla, by or in the name of the most Serene Infant Don Philip, may be effected in the same time, conformably to the said acts of cession.

Wherefore, in order to fulfil those things, to which we have bound ourselves by the articles before inserted, and in the firm hope that the most Christian and Catholic Kings, and the future possessor of the aforesaid three dutchies, and his male descendants, will, on their part, *bonâ fide*, and punctually, fulfil the tenor of the articles above-mentioned, and will likewise restore to us, within the same time, the states and places which are to be restored to us in consequence of the second

and eighteenth articles of the same preliminaries, we do yield and renounce, for us and our successors, under the conditions expressed in the above-mentioned articles, all rights, claims, and pretensions to us, under any title or cause whatsoever belonging, upon the aforesaid three duchies of Parma, Placentia, and Guastalla, formerly possessed by us; and transfer the same rights, claims, and pretensions, in the best and most solemn manner possible, to the most Serene Don Philip Infant of Spain, and his male descendants to be born in lawful marriage, absolving all the inhabitants of the said duchies from the allegiance and oath which they have taken to us, who shall be obliged for the future to pay the same allegiance to those to whom we have yielded our rights; all which however is to be understood only for that space of time that either the said most Serene Infant Don Philip, or one of his descendants, shall not have ascended either the throne of the Two Sicilies, or of Spain; for at that time, and in case the aforesaid Infant should die without male descendants, we expressly reserve to ourselves, our heirs and successors, all rights, claims, and pretensions, which have heretofore belonged to us, and consequently the right of reversion to the said duchies.

In witness whereof, &c.

CHARLES Emanuel, &c. The desire we have to contribute, on our part, to the most speedy re-establishment of the public tranquillity, which lately induced us to accede to the preliminary articles, signed the 30th of April last, between the Ministers of his Britannic Majesty, his most Christian Majesty, and the Lords the States General of the United Provinces, which we did on the 31st of May last, by our Plenipotentiary accordingly accede to, inducing us now to accomplish as much as is to be performed on our part in pursuance of them; and particularly for the execution of what is contained in the fourth article of the said preliminaries, by virtue whereof the duchies of
Parma,